MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2022 / 2023

DBL5014 – BUSINESS LAW

(All sections/ Groups)

12 JULY 2023
9.00 a.m. - 11.00 a.m.
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This question paper consists of **2** pages with 4 questions.
2. Answer **ALL** questions.
3. You are required to cite relevant provisions and case law.
4. Write all your answers in the Answer Booklet provided.

QUESTION 1

(a) Suriya wanted to expand her bakery business and incorporate a private company soon. She consulted her best friend, Maria, for financial and property planning. She plans to incorporate the company in January 2024 and transfer some of her personal property to the company for ease of management. Maria disagreed with the plan and stated that the transfer of property would cause the transfer of ownership to the company.

Advise Suriya whether a company can own a property. (10 marks)

(b) Explain on related corporation. (10 marks)

(c) State the **TWO (2)** types of company winding up. (5 marks)

[Total: 25 Marks]

QUESTION 2

(a) Sully and Karen entered a contract to rent a house in Bukit Beruang. Karen (the landlord) has provided a written agreement for Sully (the tenant). Sully realized that one of the terms in the contract provided that the duration would be two (2) years, but the rent would range from RM500.00 to RM800.00 per month based on the amount determined by Karen from time to time. Sully refused to sign and stated that the price should be fixed and certain.

Advise whether the contract prepared by Karen would be valid. (10 marks)

(b) Explain the following:

(i) Counter offer. (2 marks)

(ii) Damages. (3 marks)

(iii) The **TWO (2)** presumptions of court under element intention to create legal relation. (10 marks)

[Total: 25 Marks]

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QUESTION 3

(a) Discuss the civil and criminal matters under the jurisdiction of Sessions Court. (10 marks)

(b) List the following:

(i) Any **FOUR (4)** sources of law in Malaysia (written or unwritten). (4 marks)

(ii) The **FIVE (5)** types of courts in Malaysia. (5 marks)

(iii)The **THREE (3)** cut-off dates for the application of English law in Malaysia. (6 marks)

[Total: 25 Marks]

QUESTION 4

(a) Define 'hire purchase agreement' with reference to the Hire Purchase Act 1967. (3 marks)

(b) Discuss any **FOUR (4)** implied conditions and warranties in the hire purchase agreement. (12 marks)

(c) During the Covid-19 pandemic in 2020, Hafiz lost his job and became unemployed for almost eight months. After the six months grace period provided by the bank for his car instalments, Hafiz is worried about future payments. He is unable to pay and wants to sell the car. He received advice from his friend, Asyraf, to return the car and stop making payments. Asyraf informed that hire purchase contracts which allow the hirer to return the goods to the owner if they wishes to cancel the contract.

Advise Hafiz whether he can return the car and cancel the contract. (10 marks)

[Total: 25 Marks]

End of Paper